



PATENT  
Customer No. 22,852  
Attorney Docket No. 3180.0329

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
HARUKO AKUTSU ET AL. ) Group Art Unit: 2812  
)  
Application No.: 10/635,539 ) Examiner: Unknown  
)  
Filed: August 7, 2003 ) Confirmation No.: 9696  
)  
For: APPARATUS AND METHOD FOR )  
EVALUATING SEMICONDUCTOR )  
MATERIAL )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of the listed non-patent literature document is attached. Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Applicants provide a copy of a First Notification of Reason for Refusal issued by the Taiwanese Patent Office, mailed April 25, 2005, in a counterpart Taiwanese application. In the First Notification, Taiwanese Application No. 91117264 is mentioned. Applicants note that its English-language equivalent is U.S. Publication No. 2004/0174529 A1, which is included on the attached listing. In addition, an English-language translation of the First Notification is provided herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

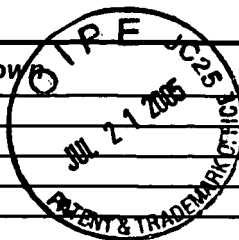
Dated: \_\_\_\_\_

7/21/05

By: \_\_\_\_\_

Richard V. Burgujian  
Reg. No. 31,744

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	10/635,539
				Filing Date	August 7, 2003
				First Named Inventor	Haruko Akutsu
				Art Unit	2812
				Examiner Name	Unknown
Attorney Docket Number	3180.0329				
Sheet	1	of	1		



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-2004/0174529 A1	9/9/04	Maznev et al.	
		US-6,323,951 B1	11/27/01	Borden et al.	
		US-6,049,220	4/11/00	Borden et al.	
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**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		First Notification of Reason for Refusal issued by Taiwanese Patent Office, mailed April 25, 2005, in Taiwanese Application No. 093109303, and English-language translation thereof	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.